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<b>IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH</b>	
In Re:  <b>KERROD GOERG, VICTORIA GOERG</b>  Debtor(s)	Case No: <b>13-23310</b>  William T. Thurman  Chapter <b>13</b>  Scheduled Confirmation Hearing: <b>June 4, 2013, at 3:00 p.m.</b>
<b>PRECONFIRMATION MOTION TO MODIFY CHAPTER 13 PLAN AND CONFIRM SUCH PLAN <u>WITHOUT</u> NOTICE OR HEARING</b>	

Under 11 U.S.C. § 1323, the Debtor(s) hereby modify the most-recently filed Chapter 13 plan and moves the court for confirmation of the plan as modified without further notice and hearing. In support thereof, the Debtor(s) represents as follows:

1. The most recently-filed plan is hereby modified as follows:

Section	Previously-filed Plan Provision	Plan as Modified
6(a)	-NONE-	Les Schwab Tire Centers of UTAH: tires Debt Amt Per Sched. D: \$943.53; Debtors' Proffered Value: \$264.00; Interest Rate: 5%; Int. Accrual Date: C; Adeq. Prot. Pmt: \$3.00; No. Adeq. Prot. Pmt: 6; Equal Monthly Pmt Thereafter: \$6.86

2. The modifications does not negatively impact secured, priority, or nonpriority unsecured creditors because:

\_\_\_\_\_ the modification only increases the monthly payment so that the plan pays all provided-for claims within 60 months; and/or

\_\_\_X\_\_\_ the modification only includes the secured claim of Les Schwab as per the filed Proof of Claim, with a de minimis affect on nonpriority unsecured creditors; and/or

\_\_\_\_\_ the modification only increases the return to nonpriority unsecured claims to satisfy the requirements of § 1325.

3. Under § 1323(c), any holder of a secured claim that has accepted or rejected the prior plan is deemed to have accepted or rejected, as the case may be, the plan as modified, unless the modification provides for a change in the rights of such holder from what such rights were under the plan before modification, and such holder changes such holder's previous acceptance or rejection.

THEREFORE, because the modification does not require notice to creditors, the

Debtor(s) requests the Court to confirm the plan as modified without further notice or hearing.

DATED this 22<sup>nd</sup> day of May, 2013.

/s/ \_\_\_\_\_  
Sarah L. Mathews

**CERTIFICATE OF SERVICE - BY NOTICE OF ELECTRONIC FILING (CM/ECF)**

I hereby certify that on the 22<sup>nd</sup> day of May, 2013, I electronically filed the foregoing PRECONFIRMATION MOTION TO MODIFY CHAPTER 13 PLAN AND CONFIRM SUCH PLAN WITHOUT NOTICE OR HEARING with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

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/s/ \_\_\_\_\_  
Mail Clerk